

§ 253.43

determine the fitness of the employee and shall terminate his services during such period if he fails to demonstrate fully his qualifications for continued employment. The employee shall automatically acquire a merit status upon satisfactory completion of probation.

(d) An eligible selected from a register for other than a temporary or term appointment shall be given a Canal Area Career Appointment if:

(1) He is a Federal employee serving under a career appointment in the competitive service, a permanent appointment in the excepted service, or a Canal Area Career Appointment;

(2) He is a former Federal employee who once met the service requirement for a career appointment in the competitive service, a permanent appointment in the excepted service, a Canal Zone Career Appointment, or a Canal Area Career Appointment.

(e) An eligible selected from a register for career appointment shall be required to serve a probationary period, subject to the same conditions as apply to a career-conditional appointment.

§ 253.43 Temporary and term appointments.

(a) An agency may make temporary limited appointments for periods not in excess of 1 year, and term appointments for periods of more than 1, but not in excess of 4 years. In making such appointments, the agency will be guided by the instructions published for the competitive service in the Federal Personnel Manual. A person so appointed shall not acquire merit status by reason of such appointment.

(b) Term employees are required to serve a 1-year trial period, during which they shall be entitled to the same limited protection as is accorded probationers under the Panama Canal Employment System. In adverse actions, term employees are entitled to the rights accorded career and career-conditional employees under the Panama Canal Employment System except while they are serving the 1-year trial period and when the term appointment has expired.

35 CFR Ch. I (7-1-00 Edition)

§ 253.44 Noncompetitive appointments.

(a) Appointing officers may noncompetitively appoint a current Federal employee who has a merit status, a competitive status, or who is serving probation at the time of appointment. Appointing officers may noncompetitively reappoint a former Federal employee who has a merit status, a competitive status, or who was serving probation at the time of separation. Eligibility for such reappointment will be subject to the following conditions:

(1) Former Federal employees who have never completed the service requirement for Canal Zone or Canal Area career appointment or for career appointment in the competitive service may be reappointed only within 3 years following the date of their separation, except that periods of temporary employment shall serve to extend the three-year period. This time limit does not apply to former employees entitled to veteran preference.

(2) Former employees who have once completed the service requirement for Canal Zone or Canal Area career appointment or for career appointment in the competitive service may be reappointed without time limitation.

(b) Appointing officers may noncompetitively appoint an individual who is certified by the Director of ACTION as having served satisfactorily as a Volunteer or Volunteer Leader under the Peace Corps Act, or as a VISTA volunteer under the Economic Opportunity Act. Such appointments shall be made in accordance with the procedures and regulations in effect for the appointment of such persons to positions in the competitive service.

(c) A Student Trainee who has successfully completed his cooperative work-study program may be appointed noncompetitively to a position at grade 5 or grade 7 in the applicable Non-Manual schedule for which he meets the qualification requirements, with the exception of any written test requirements, in the field of work in which he received his training, provided:

(1) He has successfully completed all the requirements for a bachelor's degree, including any specialized courses required for the particular position for which he has been in training;

Panama Canal Regulations

§ 253.46

(2) He has completed at least 6 months work experience (i.e., 6 months in a pay status) as a Student Trainee in the agency that recommends his appointment; and

(3) His employing agency recommends him for noncompetitive appointment within 90 days after completion of his work-study program.

(d) Employees appointed to positions excluded from this subpart pursuant to §253.8(c)(5) may have their appointments converted to career or career-conditional appointments in accordance with regulations prescribed by the PAPB. Such regulations shall generally conform to the regulations of the Office of Personnel Management for conversion of excepted service appointments of physically or mentally handicapped persons to career or career-conditional appointments.

(e) A Professional and Administrative Career Intern Program participant who has successfully completed at least one year of the prescribed training may be noncompetitively appointed to a position at non-manual grades 7 and above for which he/she meets the qualification requirements.

(5 U.S.C. 5102, E.O. 12173, 12215)

[47 FR 12956, Mar. 26, 1982, as amended at 51 FR 33262, Sept. 19, 1986]

§ 253.45 Tenure following noncompetitive appointment.

(a) The noncompetitive appointment of a current or former Federal employee who has not completed the service requirement for Canal Area or Canal Zone career appointment or career appointment in the competitive service shall be made as a Canal Area Career-Conditional Appointment. The appointment shall be automatically converted to a Canal Area Career Appointment upon completion of the service requirement. A merit status shall be acquired upon satisfactory completion of any required probationary period.

(b) The noncompetitive appointment of a former or current Federal employee who has once completed the service requirement for Canal Zone or Canal Area Career Appointment or for career appointment in the competitive service shall be made as Canal Area Career Appointment.

(c) Former or current Federal employees who did not complete any required probationary periods prior to noncompetitive appointment shall be required to serve a probationary period of one year following appointment.

(d) The noncompetitive appointment of Volunteer or Volunteer Leader under the Peace Corps Act or VISTA volunteer under the Economic Opportunity Act shall be made as Canal Area Career-Conditional Appointment; shall be subject to satisfactory completion of a probationary period of one year; and shall be automatically converted to a Canal Area Career Appointment upon completion of the service requirement. A merit status shall be acquired upon satisfactory completion of probation.

(e) The noncompetitive appointment of a person who successfully completed a cooperative work-study program or a Professional and Administrative Career Intern Program under paragraph (c) or (e), respectively, of §253.44 shall be made as a Canal Area Career-Conditional Appointment or Canal Area Career Appointment and may be subject to the satisfactory completion of a probationary period of one year. Canal Area Career-Conditional Appointments shall be automatically converted to Canal Area Career Appointments upon completion of the Service requirements.

(5 U.S.C. 5102, E.O. 12173, 12215)

[47 FR 12956, Mar. 26, 1982, as amended at 49 FR 41025, Oct. 19, 1984]

§ 253.46 Promotion, demotion, reassignment, and transfer.

(a) Appointing officers may, in their discretion, promote, demote, reassign, or transfer employees who are serving under Canal Area Career or Career-Conditional Appointments, subject to the provisions of this section and in accordance with the appropriate qualification standards established by the PAPB for the position. Such actions will be based solely on the merit of the employee and upon his qualifications and fitness to hold the positions concerned. Such actions for employees serving under temporary or term appointments will be subject to such regulations as the agency may prescribe.